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VIA ECF

Honorable Lorna G. Schofield
 United States District Court
 Southern District of New York
 Thurgood Marshall Courthouse
 40 Foley Square
 New York, NY 10007

RE: *Contant, et al. v. Bank of America Corporation, et al.*, 1:17-cv-03139

Dear Judge Schofield:

On April 28, 2017, the undersigned counsel for the parties in the above-captioned action submitted a letter (ECF 5) proposing a briefing schedule for motions to dismiss and indicating that they would submit a proposed joint stipulation reflecting that schedule upon the Court's acceptance of the *Contant* action as related. On May 2, 2017, the Court entered an Order directing the parties to submit the proposed joint stipulation referenced in the April 28 letter by May 4, 2017 (ECF 8).

On May 2, 2017, Defendants notified Plaintiffs that the previously agreed-upon briefing schedule would conflict with several of the Defendants' annual vacation plans. Plaintiffs have agreed to shorten the schedule to address Defendants' conflict. Accordingly, the parties respectfully propose that the Court enter the following amended briefing schedule for the anticipated Motions to Dismiss:

- Defendants shall file a joint 12(b)(6) Motion to Dismiss and/or Stay and a separate joint 12(b)(2) Motion to Dismiss, both due 45 days after the entry of this Order;
- Plaintiffs shall file memoranda in opposition to Defendants' Motions to Dismiss, both due 35 days after the filing of Defendants' motions;

- In lieu of filing memoranda in opposition to Defendants' motions, Plaintiffs may file an amended complaint within 35 days of the filing of Defendants' motions;
- If Plaintiffs file memoranda in opposition to Defendants' motions, Defendants may file joint reply memoranda, due 23 days after the filing of Plaintiffs' opposition memoranda.

Should Plaintiffs later determine that additional time is necessary for their opposition memoranda or amended complaint, the parties will promptly enter a stipulation that requests an extension of the deadline for Plaintiffs' opposition memoranda or amended complaint, and a modification of the deadline for Defendants' reply memoranda to accommodate Defendants' vacation schedules.

A proposed joint stipulation reflecting the above amended schedule is attached for the Court's consideration.

Dated: May 4, 2017

Respectfully submitted,

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